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310 820 5988 AUG 18 2018 P.001/010 F-821

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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**INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
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FACSIMILE COVER SHEET

Deliver to: Charles E. Phillips, USPTO Art Group: 3751
Facsimile No.: (571) 273-8300 Date: August 18, 2006
From: Thomas M. Coester, Reg. No. 39,637
Our Docket No.: 6772P001 Number of pages 10 including this sheet.
Application No.: 10/773,999 Filing Date: 2/6/2004
Docket Due Date(s): 9/5/2006 10/5/2006

Enclosed are the following documents:

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Susan M. Barrette

8/18/2006

Date

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AUG 18 2006

| | | | |
|--|----|------------------------|---------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application No. | 10/773,999 |
| | | Filing Date | February 6, 2004 |
| | | First Named Inventor | Pedro Zamora, Jr. |
| | | Art Unit | 3751 |
| | | Examiner Name | Charles E. Phillips |
| Total Number of Pages in This Submission | 10 | Attorney Docket Number | 6772P001 |

| ENCLOSURES (check all that apply) | | | |
|---|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): | |
| | | -Fax Cover Sheet (1 pg) | |
| | | <input type="checkbox"/> | |
| Remarks | | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | Thomas M. Coester, Reg. No. 39,637 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature | |
| Date | August 18, 2006 |

| CERTIFICATE OF MAILING/TRANSMISSION | | | |
|--|------------------|------|-----------------|
| I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office. | | | |
| Typed or printed name | Susan M. Barrett | Date | August 18, 2006 |
| Signature | | | |

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/d) 11/30/2005.
SHND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

| Complete if Known | |
|----------------------|---------------------|
| Application Number | 10/773,999 |
| Filing Date | February 6, 2004 |
| First Named Inventor | Pedro Zamora, Jr. |
| Examiner Name | Charles E. Phillips |
| Art Unit | 3751 |
| Attorney Docket No. | 6772P001 |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order None Other (please identify): _____ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

1. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fees from below | Fee Paid |
|--------------------|--------------|-----------------|----------|
| Independent Claims | 14 - 20* = 0 | x 25.00 | \$0.00 |
| Multiple Dependent | 4 - 5* = 0 | x 100.00 | \$0.00 |
| | | | |

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|---|----------|
| 1202 40 | 2202 25 | Claims in excess of 20 | |
| 1201 200 | 2201 100 | Independent claims in excess of 3 | |
| 1203 360 | 2203 180 | Multiple Dependent claim, if not paid | |
| 1204 750 | 2204 395 | "Reseau Independent claims over original patent | |
| 1205 300 | 2205 160 | "Reseau claims in excess of 20 and over original patent | |
| SUBTOTAL (1) | | (\$) | 0.00 |

*or number previously paid, if greater. For Reseau, see below

2. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|----------------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 60 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 2053 130 | 2053 130 | Non-English specification | |
| 1251 120 | 2251 60 | Extension for reply within first month | |
| 1252 450 | 2252 225 | Extension for reply within second month | |
| 1253 1,020 | 2253 610 | Extension for reply within third month | |
| 1254 1,690 | 2254 795 | Extension for reply within fourth month | |
| 1261 2,180 | 2266 1,080 | Extension for reply within fifth month | |
| 1401 500 | 2401 250 | Notice of Appeal | |
| 1402 500 | 2402 250 | Filing a brief in support of an appeal | |
| 1403 1,000 | 2403 600 | Request for oral hearing | |
| 1451 1,510 | 2451 1,510 | Petition to institute a public use proceeding | |
| 1460 130 | 2480 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Proceeding fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 1809 780 | 1809 395 | Filing a submission after final rejection (37 CFR § 1.129(e)) | |
| 1810 780 | 2810 395 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| Other fees (specify) | | | |
| SUBTOTAL (2) | | (\$) | |

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|-----------------------|--------------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Thomas M. Coester | Registration No. (Attorney/Agent) | 39,637 | Telephone | (310) 207-3800 |
| Signature | <u>Thomas Coester</u> | | | Date | 08/18/06 |

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (win) 12/15/2004.
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| | | | |
|--|--------------|--------------------------|---------------------|
| FEE TRANSMITTAL for FY 2005 | | Complete if Known | |
| Patent fees are subject to annual review. | | Application Number | 10/773,999 |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | | Filing Date | February 6, 2004 |
| | | First Named Inventor | Pedro Zamora, Jr. |
| | | Examiner Name | Charles E. Phillips |
| | | Art Unit | 3751 |
| | | Attorney Docket No. | 6772P001 |
| TOTAL AMOUNT OF PAYMENT | (\\$) | 0.00 | |

METHOD OF PAYMENT (*check all that apply*)

Check Credit card Money Order None Other (please identify): _____

For the above-identified deposit account, the Business is authorized to credit:

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments
under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

1. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|-----------------------|-----------------|------------------------------|----------|
| Independent Claims | 14 | 20 ^d x 0 = \$0.00 | \$0.00 |
| Multiple Dependent | 4 | 5 ^e x 0 = \$0.00 | \$0.00 |
| | | | |

| <u>Large Entity</u> | <u>Small Entity</u> | | |
|---------------------|---------------------|-------------|---|
| <u>Fee</u> | <u>Fee</u> | <u>Fee</u> | <u>Fee Description</u> |
| <u>Code</u> | <u>Code</u> | <u>Code</u> | <u>(S)</u> |
| 1202 .10 | 2202 .25 | | Claims in excess of 20 |
| 1201 200 | 2201 100 | | Independent claims in excess of 3 |
| 1203 380 | 2203 180 | | Multiple Dependant claim, if not paid |
| 1204 700 | 2204 395 | | "Reissues independent claims over original patent |
| 1205 300 | 2205 150 | | "Reissues claims in excess of 20 and over original patent |
| SUBTOTAL (1) | | (S) | 0.00 |

¹"or number previously paid, if greater. For Passover, see below.

2. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description |
|----------------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1051 | 130 | 2051 | 65 | Surcharge - into filing fee or cash |
| 1062 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet |
| 2053 | 130 | 2053 | 130 | Non-English specification |
| 1251 | 120 | 2251 | 60 | Extension for reply within first month |
| 1252 | 450 | 2252 | 225 | Extension for reply within second month |
| 1261 | 1,020 | 2253 | 510 | Extension for reply within third month |
| 1264 | 1,590 | 2254 | 755 | Extension for reply within fourth month |
| 1255 | 2,160 | 2255 | 1,080 | Extension for reply within fifth month |
| 1401 | 500 | 2401 | 250 | Notice of Appeal |
| 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal |
| 1403 | 1,000 | 2403 | 500 | Request for oral hearing |
| 1461 | 1,510 | 2451 | 1,510 | Petition to Institute a public use proceeding |
| 1460 | 130 | 2450 | 120 | Petition to the Commissioner |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) |
| 1805 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt |
| 1809 | 790 | 1809 | 395 | Filing a submission after final rejection (37 CFR § 1.17(q)) |
| 1810 | 790 | 2810 | 395 | For each additional invention to be examined (37 CFR § 1.17(q)) |
| Other rate (specify) | | | | |

Fee Pak

SUBMITTED BY

| | | | | | |
|--------------------|---|--------------------------------------|--------|-----------|--|
| Name (Permit Type) | Thomas M. Coester | Registration No. (Attorney/Agent) | 39,637 | Telephone | Complete (if applicable) (310) 207-3800 |
| Signature |  | | | Date | 08/18/06 |

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman, (mr) 12/15/2004.
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AUG 18 2006 Attorney's Docket No.: 006772.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Pedro Zamora, Jr.

Application No.: 10/773,999

Filing Date: February 6, 2004

For: STORE AWAY SHOWER CHAIR

Examiner: Charles E. Phillips

Art Unit: 3751

RESPONSE TO OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Final Office Action mailed July 5, 2006, in connection with the above-referenced patent application, Applicant amends the application as follows: